

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BERNARDO CASTILLO ZAMORA, JOSE EDWIN MENDEZ, and JAVIER DIAZ PLAZA, on behalf of themselves and all others similarly situated,

Plaintiffs,

-v-

JGL RESTAURANT CORP. d/b/a ITALIAN VILLAGE PIZZA and JOSE LEON,

Defendants.

CIVIL ACTION NO. 22 Civ. 5739 (ALC) (SLC)

**ORDER TO SUBMIT SETTLEMENT MATERIALS**

SARAH L. CAVE, United States Magistrate Judge.

On August 9, 2024, the parties advised the Court that they had accepted the undersigned's mediator's recommendation to settle this case. This case contains one or more claims arising under the Fair Labor Standards Act. In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint Letter-Motion that addresses whether the settlement is fair and reasonable.

The parties must file their Letter-Motion by **Thursday, September 26, 2024**, and should address the claims and defenses, Defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of Plaintiffs' case and Defendants' defenses, any other factors that justify the discrepancy between the potential value of Plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint Letter-Motion should also explain the attorney fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees expended (including billing records and costs documentation). Finally, a copy of the settlement agreement itself must accompany the joint Letter-Motion. The parties are reminded that they may consent to Magistrate Judge jurisdiction for purposes of the Cheeks review.

Dated:           New York, New York  
September 12, 2024

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge